IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 30496 of 1998

Between:

1 B.Balaraj, S/o Rajanna,
R/o H.No.7-1-B, Velpoor Village, Armoor Mandal, Nizamabad Dist.
2 S.Gangaram, S/o Sayanna,
R/o 5-62, Motha, Nizamabad, Nizamabad Dist.
3 K.Rajanna, S/o Rajanna,
R/o 6-25, Shraddanand Gunj, Nizamabad, Nizamabad Dist.

..... PETITIONERS

AND

Secretary, Regional Transport Authority,
Nizamabad District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, Order or direction, preferably one in the nature of Writ of Mandamus, declaring the action of the respondent in not permitting the petitioners herein to carry a Gross Vehicle Weigh of 16200 Kgs., in the Petitioners Goods Vehicles bearing Registration Numbers -AP.25/T.4642; AAT 4112 and AAJ 2233 respectively, as illegal, arbitrary and contrary to law and further direct the respondent herein to permit the petitioners herein to carry Gross vehicle Weight as 16200 Kgs., in respect of their Goods vehicles by entering the same in the respective registration Certificates of the said vehicles forthwith.

Counsel for the Petitioner: MR.J.KANAKAIAH

Counsel for the Respondent: GP FOR TRANSPORT

The Court made the following:

ORDER:

This writ petition is filed seeking to issue a writ of Mandamus declaring the action of the respondent-Secretary, Regional Transport Authority, in not permitting the petitioners to carry Gross Vehicle weight of 16,200 kgs in their Heavy Goods vehicles as illegal and arbitrary and consequently, to direct the respondents to permit the petitioner to carry the said weight in his goods vehicles by entering the same in their respective registration certificates.

When the matter is taken up for hearing, it is submitted by the learned counsel appearing for the petitioners and conceded by the learned Government Pleader for Transport appearing for the respondent that the issue involved in this writ petition is squarely covered by the judgment of the Apex Court in **N.Venkateswara Rao Vs. S.T.A.**, wherein the Apex Court has elaborately discussed the matter and dismissed the writ appeals and W.P.No.6211 of 1990 and batch.

Accordingly, following the said judgment of the Apex Court, this writ petition is also dismissed for the same reasons. No order as to costs.

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08.04.2005

dr/tvk

To

1 The Secretary, Regional Transport Authority,

Nizamabad District.

2 2 CCs to Government Pleader for Transport,

High Court Buildings, Hyderabad. (OUT)

3 2 CD copies